

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of HEATHER BECKWITH and
DANIELLE BECKWITH, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

KAREN BECKWITH,

Respondent-Appellant,

and

WILLIAM BECKWITH,

Respondent.

UNPUBLISHED

July 14, 2009

No. 289575

Kent Circuit Court

Family Division

LC No. 07-052469-NA

Before: Davis, P.J., and Murphy and Fort Hood, JJ.

MEMORANDUM.

Respondent-appellant Karen Beckwith (hereinafter “respondent”) appeals as of right from the trial court’s order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Contrary to what respondent argues, the conditions that led to the adjudication were not limited to respondent Beckwith’s sexual abuse of respondent’s oldest child. The trial court’s exercise of jurisdiction was also based on respondent’s history of exposing the children to domestic violence. The evidence indicated that the children had been exposed to significant domestic violence, and that both respondent and the children experienced the effects of post-traumatic stress disorder. Despite participating in counseling to address this issue, respondent continued to lack insight in understanding how her children were affected by the violence they witnessed or her role in such incidents, or how to avoid or respond to dangerous situations in the future. In addition, respondent continued to engage in the same patterns of behavior that made her vulnerable to abusive relationships, and she continued to place her own needs ahead of those of

the children. Respondent's failure to successfully complete the most important component of her parent-agency agreement, that being individual counseling, was evidence of her inability to provide proper care and custody of the children, see *In re JK*, 468 Mich 202, 214; 661 NW2d 216 (2003), and it was reasonably likely that they would be harmed if returned to respondent's home.

Further, considering the trauma the children experienced while in respondent's custody and the significant progress they had made after their removal because of the stability and consistency they were receiving, which respondent was unable to provide, the trial court did not clearly err in finding that termination of respondent's parental rights was in the children's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 356-357. Thus, the trial court did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Alton T. Davis
/s/ William B. Murphy
/s/ Karen M. Fort Hood